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UNITED STATES DEPARTMENT OF AGRICULTURE
RESETTLEMENT ADMINISTRATION
Land Utilization Division
Land Use Planning Section

BULLETIN OF FEDERAL AND STATE LEGISLATION AFFECTING LAND USE

No. 10
Week Ending March 11, 1937

(Primarily for the information of Land Use Planning personnel
of the Resettlement Administration and collaborating offices
and agencies.)

Legislatures adjourned:

Idaho - March 6	North Dakota - March 8
Indiana - March 8	Oregon - March 8
Montana - March 6	South Dakota - March 6

Special Sessions convened: North Dakota - March 8.

I. FEDERAL LEGISLATION

CONSTITUTIONAL AMENDMENT

H. J. Res. 256. Mr. Amie.

To give Congress power to enact laws providing for Government ownership of business, manufacturing, and commerce, with further power to regulate child labor, hours and conditions of labor, wages, and production.

Committee on the Judiciary March 2.

EMERGENCY CONSERVATION

H. R. 5046. Mr. Boren.

To make the Civilian Conservation Corps a permanent agency of the Government, dividing it into conservation corps areas co-extensive with the United States Army Corps areas under the jurisdiction of the Secretary of War. Standards are established for the guidance of the Secretary of War in establishing rules and regulations for enrollees and for subdividing areas into districts and camps, and for the general government of such camps.

To the Committee on Labor February 24.

FEDERAL AID

H. R. 5028. Mr. Deen.

To appropriate \$50,000,000 for farm-to-market roads authorized to be appropriated by the Federal Highway Act as amended by the Act of June 16, 1936 (Public 686).

To Committee on Appropriations February 24.

FLOOD CONTROL

H. R. 5248. Mr. Pierce.

To provide for the improvement of the Columbia and Snake Rivers in Oregon and Washington for barge navigation, flood control, delivery of water for reclamation, and for other beneficial uses. The Secretary of War is authorized to expend not more than fifteen million dollars annually for such purpose. The existing projects for the improvement of the Columbia and Snake Rivers are modified to provide for barge navigation. The present investigations of said rivers are to be continued for the determination of the best methods of improvement and the possibilities of hydro-electric development.

To Rivers and Harbors Committee March 2.

S. J. Res. 229. Mr. Taylor (Colorado)

To authorize the President to allocate funds to the United States Public Health Service for health and sanitation activities in flood areas from the Emergency Relief Appropriation of 1936 as amended by the deficiency appropriation for the fiscal year 1937.

Approved February 24. Public Res. No. 7.

HOUSING

H. R. 5033. Mr. Steagall.

To create a Housing Authority for the construction of dwellings for families of low income.

To Committee on Banking and Currency February 24.

INTERSTATE COMPACTS

H. R. 5043. Mr. Byrne.

To grant consent of Congress to any group of states to enter into agreements or compacts for cooperative effort and assistance in the preservation of wildlife.

To Committee on Agriculture February 24.

SOIL CONSERVATION

H. J. Res. 261. Mr. Jones.

The balance of the \$2,000,000 Emergency Relief Appropriation Act of 1935 and 1936 is made available to the Secretary of Agriculture to make payments to States and farmers in the Great Plains for wind erosion control under plans approved by the Secretary.

To Committee on Appropriations March 4.

S. 1742. Mr. Shepherd.

To authorize the Secretary of Agriculture to make studies and investigations to develop effective methods for the control of rainfall, for prevention of erosion of farms, pastures, woodlands, and for the conservation of soil fertility, pastures, and watersheds, to minimize the deposition of silt in reservoirs and reduce the discharge of water and silt into streams from fields, pastures and watersheds.

Committee on Agriculture and Forestry March 2.

II. STATE LEGISLATION

(Includes only outstanding proposals likely to be of interest to Legislatures other than the one in which the bill is introduced.)

AGRICULTURE

Kansas. H. B. 490. Mr. Cross.

To authorize the Rural Rehabilitation Corporation to transfer to the United States any or all of its assets and property so that the administration of such assets and expenditures of funds of the corporation may be coordinated with the expenditures of the United States Resettlement Administration for relief and rehabilitation purposes.

Introduced February 23.

Montana. S. P. 188. Committee on Agriculture.

To authorize the Rural Rehabilitation Corporation to transfer to the United States any or all of its assets and property so that the administration of such assets and the expenditures of funds of the corporation may be coordinated with the expenditures of the United States Resettlement Administration for relief and rehabilitation purposes.

Introduced February 16.

DRAINAGE

Arkansas. H. P. 465. Mr. Warfield.

To create a Flood Control Commission for the purpose of constructing or improving flood control works with the incidental power to re-locate or revise bridges, buildings, roads, streets, railroads, and service lines of utilities. All such work undertaken shall be outside the boundary limits of any existing levee or drainage district. The Commission is authorized to cooperate with the War Department, and may receive on behalf of the State any Federal grants or loans to be used within the State for flood control purposes.

To the Public Service Corporation Committee February 22.

New Jersey. Assembly 377. Mr. DeVoe.

To create a Flood Control Authority which shall have control of lakes, rivers or streams above tide water for the initiation and completion of flood control projects, including planning, financing, constructing, and operating such projects. Incidental to its powers for the construction of flood control projects, it shall have power to acquire and dispose of land, borrow money for financing any project, and any other necessary powers to carry out the purposes of the Act.

Committee on Miscellaneous Business February 24.

Utah. S. P. 195. Messrs. Frischknecht and Hopkins.

To amend the Water Code to authorize the State Engineer to enter into agreements with Federal and State agencies for cooperation in making surveys of water resources, snow surveys, investigating flood and erosion control, and adjudicating water rights, and providing for sharing expenses of such surveys.

To Agricultural and Irrigation Committee February 13.

GOVERNMENT ORGANIZATION

Montana. H. B. 283. Committee on Labor.

To amend the Constitution to enable the Legislature to create Bureaus of Labor and Industry, each to be under the control of a Commissioner appointed by the Governor.

Introduced February 11.

Montana. H. B. 328. Mr. Chatham.

To create a State Board of Forestry for the conservation and protection of all forest lands and resources, forest range, and protection of soil erosion in cooperation with Federal, public, and private agencies engaged in forest conservation and protection. The Board shall have authority to cooperate with such agencies engaged in protecting forests from destruction by fire, disease for the purpose of stabilizing communities, farm income, forest industries, employment, and taxable forest wealth. The Board shall undertake to improve and maintain a continuous supply of forest products, the benefit of forests in regulation of water supply and stream flow for irrigation, hydro-electric power, prevention of soil erosion, protection of forest range. To carry out the purposes of the Act the Board is further authorized to classify forest land areas for which conservation and fire protection measures are required.

Introduced February 12.

Montana. S. B. 124. Committee on New Counties and Divisions.

To define a procedure for abandoning and abolishing any organized county. Upon petition an election may be held in the county to be abolished and in the adjoining counties to which the territory of the abandoned county may be added. Provision is made, upon a favorable vote, for transferring property, money, rights, claims, etc. to the adjoining counties.

Introduced February 10.

South Carolina. H. B. 428. Messrs. Pope and Bennett.

To create a special committee to study the administrative organization of the State Government and report to the Legislature in 1938 with recommendations for a thorough reorganization "along more efficient, more unified, and more economical lines".

To Committee on Ways and Means February 24.

South Carolina. H. B. 440. Mr. Thomas.

To create a Commission of nine for the purpose of proposing to the Legislature a "realignment of services, revision of taxes, and clarification of the Constitution as shall contribute to a simpler and more economical administration".

Ways and Means Committee February 24.

Wyoming. H. B. 112.

To establish a Game and Fish Commission and codify all game and fish laws.

Approved February 19. Ch. 64, Laws 1937.

INTERSTATE COMPACTS

Georgia. 'H. B. 371. Mr. Chappell, et al.

To establish a Committee on Inter-State Cooperation of five members from each House and five State Officials appointed by the Governor. The purpose of the Committee shall be to facilitate cooperation with other States.

Introduced February 8.

Iowa. H. B. 244. Conservation Committee.

To authorize the State Conservation Commission to improve and develop desirable areas in cooperation with adjacent States. After the preparation of the plans the Commission is given power and authority to confer and cooperate with the proper authorities of the states involved to correlate the use, development, and improvement of the entire areas involved. The areas included in the plan constitute an Interstate Conservation Improvement District.

Introduced February 23.

South Carolina. H. B. 252. Agricultural Committee.

To provide for the regulation of the sale, marketing, and distribution of tobacco under an interstate compact with North Carolina, Virginia, Georgia, Kentucky, and Tennessee. A Tobacco Commission is created to administer the Act by establishing quotas of production for individual farms based upon determination of requirements for consumption and State quotas, and it may disseminate information, cooperate with the other States agreeing to the compact, make rules and regulations for the sale of such tobacco, and act as agent of the States to receive funds from the Federal Government.

Agricultural Committee Substitute for Spolton Bill Feb. 19.

LAND USE

Iowa. H. B. 255. Committee on Roads and Highways.

To establish a farm-to-market road system and in cooperation with the Federal Government improve such roads.

Introduced February 23.

Maryland. H. B. 336. Mr. Clark.

To accept the provisions of the Soil Conservation and Domestic Allotment Act and appoint the University of Maryland as the State's agency to formulate plans pursuant to the Act, and upon approval by the Secretary of Agriculture, administer such plans. The University shall accept and utilize any grants made pursuant to the Act.

To Committee on Agriculture February 26.

Massachusetts. H. B. 1528. Committee on Agriculture.

To accept the provisions of the Soil Conservation and Domestic Allotment Act designating the Massachusetts State College as the agency of the State to prepare and administer plans in accordance with the Act.

(Same as S. B. 126, Bulletin 4, page 5.)

To Ways and Means Committee February 25.

Nebraska. Bill 362. Messrs. Norton and Nebauer.

To establish a Soil Conservation Committee as an agency of the State to cooperate with the Federal Soil Conservation Program by establishing districts, which districts shall engage in soil conservation in cooperation with the Federal Government. The governing bodies of such districts shall be composed of five supervisors, two selected by the Soil Conservation Committee and three elected by the occupiers of land within the district, which governing body shall have power to enter into contracts with occupiers for soil conservation.

To Agricultural Committee February 15.

Nebraska. Bill No. 363. Mr. Norton.

To accept the provisions of the Soil Conservation and Domestic Allotment Act. There is created a Committee of seven as the Agricultural Conservation and Adjustment Committee which is designated as the agency of the State to formulate and administer plans in accordance with the Act and to receive any money for the execution of such plans.

To Committee on Agriculture February 15.

New Mexico. S. B. 48.

To provide for the creation of wind erosion districts upon petition of 25% of the freeholders owning more than 25% of the lands within the proposed district. The petition is to be presented to the Board of County Commissioners, who, after hearing, shall define and establish boundaries of such districts. A governing body of three is to be selected as a Board of Supervisors to govern the district. The district is to have power to conduct surveys and research relating to the character of erosion and preventive and control measures necessary. In cooperation with the Agricultural Extension Service and the County Agent the governing body shall determine upon a program of preventive measures, and when such plan is adopted by the Board of Supervisors it may make uniform rules and regulations to carry out the official plan to control soil erosion. After due notice land owners are required to take such steps as are necessary to carry out the recommendations of the plan, and upon failure the Board of Supervisors may, upon petition to the District Court and after hearing, if the Court so determines, enter upon the land involved and perform the work necessary. State lands within the district are subject to the Act and the State Land Commissioner is authorized to comply with the requirements of the official plan.

Judiciary Committee Substitute for Skeleton Bill February 22.

New Mexico. S. B. 158. Mr. Hilton.

To authorize the acquisition of rights of way necessary for the construction of State and Federal aid roads.

Introduced February 22.

South Dakota. H. B. 254. Committee on Agriculture.

To accept the provisions of the Soil Conservation and Domestic Allotment Act and appoint the State Agricultural Extension Service as the agency of the State to formulate and administer plans pursuant to the terms of the Act. The agency may receive and disburse any funds appropriated in furtherance of the plans as approved by the Secretary of Agriculture.

Introduced February 18.

Texas. H. B. 590. Mr. Bridgers.

S. B. 341.

To authorize the Commissioners' Court of all counties to establish and complete soil erosion projects in cooperation with the Federal Government. The Land Commissioner is authorized to approve agreements as to State lands.

To Committee on Conservation and Reclamation February 18.

PLANNING

Kansas. H. B. 518. Mr. Bloss.

S. B. 414. Mr. Hansen.

To create a State Planning Board consisting of 15 members, 5 to be chosen from (1) State Highway Commission, (2) State Forestry Commission, (3) State Board of Health, (4) Board of Administration, (5) State Corporation Commission, (6) Board of Regents, (7) State Board of Agriculture, (8) State Labor Commission; of the ten remaining members seven shall be chosen from the Congressional Districts and three from the State at large. The Board is authorized to investigate and survey the resources of the State, exemplify and analyze the data obtained and formulate plans for the conservation and systematic utilization of such resources. The Board shall cooperate with the National Resources Committee or with any other planning agencies and with the State Departments in such planning, conservation, and utilization of resources. The Board is also authorized to cooperate with and coordinate the work of the local and regional planning agencies.

Introduced February 23.

Kansas. S. B. 470. Mr. Denious.

To prohibit the construction of any building within 200 feet of the central line of any State Highway. Any building so constructed or placed within 200 feet, after the passage of this Act, shall be removed, and after 30 days' written notice if not removed, the Highway Commission may enter and remove such structure and assess the cost against the real estate.

Introduced February 23.

Missouri. S. B. 109. Mr. Kinney.

To amend the State Planning Board of 1935 by adding four citizen members to the Board to be appointed by the Board of Permanent Seat of Government. Section 3 is amended to eliminate the provision for a maximum of \$10,000 for a biennium appropriation so that the Legislature may determine an amount from time to time without any limitations.

Introduced February 24.

New Hampshire. S. B. 55. Mr. Heald.

To authorize towns and cities to adopt rural land use zoning ordinances. This bill follows the standard zoning enabling Act and supplements the existing enabling act for towns and cities. Under this new bill towns or cities of 1000 population or over are required to appoint planning boards to prepare the plans. The local planning boards are to cooperate with the State Planning and Development Commission in coordinating local plans with the State plan, but neither the Planning Board or the local Legislative body shall be bound by the advice or recommendations of the State Planning and Development Commission.

To Committee on Judiciary March 5.

PUBLIC LANDS

Minnesota. H. B. 935.

To promote reforestation of public lands in cooperation with the Federal Government under the Fulmer Act (Public 395 - 74th Congress).

Introduced February 23.

North Carolina. S. B. 236. Mr. Clark.

To authorize the Department of Conservation and Development to acquire necessary lands for the construction of Resettlement projects and to dispose of such lands to the United States. \$10,000 is appropriated to either purchase or condemn such lands.

Conservation and Development Committee February 26.

Texas. S. B. 324. Mr. Small.

To define the procedure for the sale of vacant unappropriated lands by the Land Commissioner.

To Public Lands Committee February 23.

REAL PROPERTY

Indiana. S. B. 189. Mr. Arnold.

To authorize cities and counties to aid housing projects by furnishing parks, streets, improvements, and facilities. The political subdivisions may contract with the Authority for payment of such services and facilities.

Cities and Towns Committee February 12.

Kansas. H. B. 412.

To authorize political subdivisions to aid housing projects by furnishing parks, streets, improvements, facilities, and services, and contract with such political subdivisions for the payment of services and facilities for the benefit of such housing projects.

Introduced February 19.

Kansas. H. B. 417. Mr. Ledbetter.

To create Housing Authorities in cities and counties for the construction of dwellings for persons of low income.

Introduced February 19.

Minnesota. H. B. 333. Mr. Palarine.

To create Housing Authorities in cities and counties for constructing dwelling accommodations for persons of low income. Such Housing Projects to be tax exempt but political subdivisions are authorized to contract for payments in lieu of taxes.

To Public Welfare and Social Legislation Committee Jan. 25.

Nevada. S. B. 37. Mr. Wadsworth.

To create Housing Authorities in cities and counties for the construction of dwelling accommodations for persons of low income. The property and securities of such projects shall be exempt from taxation but payments may be made to political subdivisions for facilities and services for the benefit of such projects.

To Committee on Federal Relations February 15.

Nevada. S. B. 39. Mr. Wadsworth.

To authorize and regulate the financing of public works projects.

To Federal Relations Committee February 15.

Pennsylvania. H. B. 950. Mr. Simpson.

To codify and amend the landlord and tenant law.

To Committee on Judiciary February 22.

South Carolina. H. B. 496. Mr. Butt.

No landlord shall, before judgment and levy, have any lien for rent on any property of his tenant.

To Judiciary Committee February 25.

Utah. H. B. 222. Mr. Weggeland.

S. B. 241. Mr. Lamoreaux.

To rewrite the law regulating real estate brokers and salesmen. A Real Estate Department under the supervision and direction of the State Securities Commissioner is created to administer the Act, and upon certain conditions issue licenses to real estate brokers and salesmen.

Introduced February 19.

West Virginia. S. B. 233. Mr. Beacom.

To authorize cities, towns and counties to aid in housing projects of Housing Authorities (State and Federal) by furnishing parks, playgrounds, and other improvements. Political subdivisions are authorized to contract with the Authority for payment of the facilities and services furnished.

Introduced February 25.

TAXATION

Kansas. H. B. 411.

To provide that property and bonds of Housing Authorities shall be exempt from taxation and assessments and that the Authorities may contract with political subdivisions for payments in lieu of such taxes.

Introduced February 19.

Montana. S. B. 191. Taxation Committee

To create a Tax Investigation Committee to make a thorough survey of all tax laws and the subject of taxation in general for the purpose of equalizing the tax burden and the coordination of the various types of taxation with a view to reporting to the Governor and the Legislature by December 15, 1938 its findings and recommendations with drafts of bills for the consideration of the next Legislature.

Introduced February 16.

New Jersey. S. B. 51. Mr. Jamieson.

To permit the taxation by municipalities of State lands where such lands exceed 9% of the entire area of the municipality.

To Committee on Taxation January 25.

Ohio. H. J. Res. 43. Mr. Kasch.

To amend the Constitution to abolish the general property tax on land and improvements.

Introduced February 24.

H. A. HOCKLEY

